

## DuaneMorris

## FIRM and AFFILIATE OFFICES

NEW YORK  
LONDON  
SINGAPORE  
LOS ANGELES  
CHICAGO  
HOUSTON  
HANOI  
PHILADELPHIA  
SAN DIEGO  
SAN FRANCISCO  
BALTIMORE  
BOSTON  
WASHINGTON, DC  
LAS VEGAS  
ATLANTA  
MIAMI  
PITTSBURGH  
NEWARK  
MOCA RATON  
WILMINGTON  
CHERRY HILL  
PRINCETON  
LAKE TAHOE  
HO CHI MINH CITY

JEFFREY S. POLLACK  
DIRECT DIAL: 215.979.1299  
PERSONAL FAX: 215.689.4047  
E-MAIL: jspollack@duanemorris.com

www.duanemorris.com

June 18, 2009

**VIA FACSIMILE**

The Hon. John P. Fullam  
United States District Judge  
15614 U.S. Courthouse  
601 Market Street, Room 2609  
Philadelphia, PA 19106-1797

Re: **Preferred Unlimited, Inc., et al. v. Thyssenkrupp Budd Company, No. 08-4693**

Dear Judge Fullam:

At the request of your law clerk and on behalf of our clients Hunting Fox Associates I, L.P. and Preferred Unlimited, Inc. we write to provide the Court with the following status update regarding the above-referenced action:

We are pleased to report that the parties are negotiating the settlement of this matter and hope to have it resolved promptly. We respectfully request that this matter be placed in administrative suspense until settlement terms are finalized. Once settlement is finalized, we will promptly notify the Court.

Should you have any questions regarding this matter, please contact me at (215) 979-1299.

Respectfully,

  
Jeffrey S. Pollack

Cc: Timothy J. Bergere, Esq. (via email)  
Stephen W. Armstrong, Esq. (via email)  
JSP

DUANE MORRIS LLP

30 SOUTH 17TH STREET PHILADELPHIA, PA 19103-4196

PHONE: 215.979.1000 FAX: 215.979.1020

Duane Morris

DUANE MORRIS LLP  
30 SOUTH 17TH STREET  
PHILADELPHIA, PA 19103-4196  
PHONE: 215.979.1000  
FAX: 215.979.1020

## FACSIMILE TRANSMITTAL SHEET

TO: The Hon. John P. Fullam

FIRM/COMPANY: The United States District Court For The Eastern District of Pennsylvania

FACSIMILE NUMBER: 215.580.2136

CONFIRMATION  
TELEPHONE:

FROM: Jeffrey S. Pollack

DIRECT DIAL: 215.979.1299

DATE: June 18, 2009

USER NUMBER: 4350

FILE NUMBER: 99999-99999

TOTAL # OF PAGES: **2**  
(INCLUDING COVER SHEET)

MESSAGE: Preferred Unlimited, Inc., et al. v. Thyssenkrupp Budd Company,  
No. 08-4693

NOTE: Original will not follow

### CONFIDENTIALITY NOTICE

THIS FACSIMILE TRANSMISSION IS PRIVILEGED AND CONFIDENTIAL AND IS INTENDED ONLY FOR THE REVIEW OF THE PARTY TO WHOM IT IS ADDRESSED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE IMMEDIATELY TELEPHONE THE SENDER ABOVE TO ARRANGE FOR ITS RETURN, AND IT SHALL NOT CONSTITUTE WAIVER OF THE ATTORNEY-CLIENT PRIVILEGE.

If there is a problem with this transmission, please call us as soon as possible at 215.979.1021.